# OFFER SUBMISSION PACKAGE

# FOR SOLICITATION SP0600-04-R-0139

### **IRAQ PC&S, PURCHASE PROGRAM 1.6G**

### THE ENCLOSED SOLICITATION COVERS THE ORDERING PERIOD:

### TIME OF AWARD THROUGH 31 DECEMBER 2005

### **INSTRUCTIONS**:

1. The original and one (1) copy of this Offer Submission Package (OSP) <u>must</u> be returned to the following address as your offer:

ATTN: Bid Custodian, Room 3729/ DESC-CPC, Rm 3815

Defense Energy Support Center

8725 John J. Kingman Road, Suite 4950

Ft. Belvoir, VA 22060-6222

All documents to be completed and returned are contained in this OSP Package.

- X Standard Form 1449 (SF1449), Solicitation/Contract/Order for Commercial Items
- X All Applicable Fill-In Clauses
- X Price Data Sheet
- 2. Facsimile proposals may be submitted in accordance with Clause L2.11-2, FACSIMILE PROPOSALS (OCT 1997) incorporated in Clause I1.20-1, CLAUSES AND PROVISIONS INCORPORATED BY REFERENCE (DESC JAN 2003).
- 3. Be sure to check your offer for accuracy and legibility prior to submission. Initial all changes and sign and date the Standard Form 1449.
- 4. By submission of this package, you are stating that all terms and conditions of the entire solicitation are accepted and apply to your offer unless clearly stated herein.

	OMPLETE BLOCKS 12, 17, 2	23. 24. Q	30		D.	P0600-04	4-1143		Pag	ge 1 of 41
2. CONTRACT NUMBER	3. AWARD/EFFECTIVE DA		4. ORDER NUM	IBER	5. SOLI	CITATION	NUMBER	6. SOLI		ON ISSUE DATE
					SI	P0600-04-	-R-0139		24 \$	SEP 2004
7. FOR SOLICITATION INFORMATION CALL:	a. NAME					PHONE N			_	DATE/LOCAL TIME
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Fort Belvoir, VA		EC		□8(A)				HIS CONT R DPAS (1		RATED ORDER 00)
Phone: (703) 767	TIA AHMED/DESC-P I-9517	EC		NAIC	S CODE	: 422720	13b. R	ATING		
E-mail: tia.ahmee										
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_	CHASE ORDER INCORPORATE REQUIRED TO SIGN THIS DO						<u>ED. ADDEND<i>A</i></u> TRACT: REFER		≚JARE N	OT ATTACHED.  OFFER DATED
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30b. NAME AND TITLE O	F SIGNER (Type or Print)	30c. DA	ATE SIGNED	31b. NAME	OF CONTR	ACTING C	OFFICER (Type	or Print)	31c.	DATE SIGNED
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	OFFER SUBMISSION PACKAGE	
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### G9.06 ADDRESS TO WHICH REMITTANCE SHOULD BE MAILED (DESC DEC 1999)

Remittances shall be mailed only at the Government's option or where an exception to payment by Electronic Funds
Transfer (EFT) applies. (See the PAYMENT BY ELECTRONIC FUNDS TRANSFER - CENTRAL CONTRACTOR REGISTRATION
or the PAYMENT BY ELECTRONIC FUNDS TRANSFER - OTHER THAN CENTRAL CONTRACTOR REGISTRATION clause.)

Offeror shall indicate below the complete mailing address (including the nine-digit zip code) to which remittances should be mailed if such address is other than that shown in Block 15a (Standard Form (SF) 33) for noncommercial items or Block 17a (SF 1449) for commercial items. In addition, if offeror did not incorporate its nine-digit zip code in the address shown in Block 15a of the SF 33 or in Block 17a of the SF 1449, the offeror shall enter it below:

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(DO NOT EXCEED 153 CHARACTERS)

(DESC 52.232-9F55)

(a) The Contractor shall supply the following information to the Contracting Officer no later than 5 days after contract award and before submission of the first request for payment. The bank designated as the receiving bank must be located in the United States and must be capable of receiving Automated Clearing House (ACH) transactions.
NAME OF RECEIVING BANK:
CITY AND STATE OF RECEIVING BANK:
AMERICAN BANKERS ASSOCIATION NINE DIGIT IDENTIFIER OF RECEIVING BANK:
ACCOUNT TYPE CODE: (Contractor to designate one)
[ ] CHECKING TYPE 22
[ ] SAVINGS TYPE 32
RECIPIENT'S ACCOUNT NUMBER ENCLOSED IN PARENTHESES:
RECIPIENT'S NAME:
STREET ADDRESS:
CITY AND STATE:
<u>NOTE</u> : Additional information may be entered in <u>EITHER</u> paragraph (b) <u>OR</u> paragraph (c) below. Total space available for information entered in (b) <b>OR</b> (c) is 153 characters.
(b) SPECIAL INSTRUCTIONS/OTHER IDENTIFYING DATA:
(DO NOT EXCEED 153 CHARACTERS)
OR
(c) <b>THIRD PARTY INFORMATION:</b> Where payment is to be forwarded from the receiving bank to another financial institution for deposit into Contractor's account, the following information <u>must</u> be supplied by the Contractor: Second Bank Name, City/State and/or Country, Account Number, and Account Name.

ELECTRONIC TRANSFER OF FUNDS PAYMENTS - CORPORATE TRADE EXCHANGE (DESC FEB 2003)

G9.07

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- (e) Any change by the Contractor in designation of the bank account to receive electronic transfer of funds in accordance with this clause must be received by the Contracting Officer no later than 30 days prior to the date the change is to become effective.
  - (f) The electronic transfer of funds does not constitute an assignment of such funds in any form or fashion.
- (g) In the event corporate trade exchange (CTX) payments cannot be processed, the Government retains the option to make payments under this contract by check.

### (h) NOTICE TO FOREIGN SUPPLIERS.

SIGNATURE:

- (1) Payment may be made through the Federal Reserve Wire Transfer system. The bank designated as the receiving bank must be located in the United States and must be capable of receiving ACH transactions. The appropriate American Bankers Association nine-digit identifier must be supplied in order for payments to be processed through CTX.
- (2) If your account is with a foreign bank that has an account with a bank located within the United States, the U.S. bank may be designated as the receiving bank. The recipient's name and account number shall identify the foreign bank, and transfer instructions to supplier's account must be specified in (b) **OR** (c) above.
- (3) The Third Party information supplied in (c) above will be located in the first RMT segment of the CTX payment information sent to the receiving bank.
  - (i) Notwithstanding any other provision of the contract, the requirements of this clause shall control.

(DESC 52.232-9FJ1)

# K1.01-10.100 OFFEROR REPRESENTATIONS AND CERTIFICATIONS - COMMERCIAL ITEMS (ALTERNATES I/II)(IRAQ)(SEP 2004)

- (a) TAXPAYER IDENTIFICATION NUMBER (TIN) (26 U.S.C. 6109, 31 U.S.C. 7701). (Not applicable if the offeror is required to provide this information to a central contractor registration database to be eligible for award.)
- (1) All offerors must submit the information required in paragraphs (b)(3) through (b)(5) of this provision to comply with debt collection requirements of 31 U.S.C. 7701(c) and 3325(d), reporting requirements of 26 U.S.C. 6041, 6041A, and 6050M, and implementing regulations issued by the Internal Revenue Service (IRS).
- (2) The TIN may be used by the Government to collect and report on any delinquent amounts arising out of the offeror's relationship with the Government (31 U.S.C. 7701(c)(3)). If the resulting contract is subject to the payment reporting requirements described in FAR 4.904, the TIN provided hereunder may be matched with IRS records to verify the accuracy of the offeror's TIN.

-	ed in FAR 4.904, the TIN provided hereunder may be matched with IRS records to verify the accuracy of the
offeror's TIN.	TAXPAYER IDENTIFICATION NUMBER (TIN).
	[ ] TIN: [ ] TIN has been applied for. [ ] TIN is not required because:
effectively connected agent in the U.S.	[ ] Offeror is a nonresident alien, foreign corporation, or foreign partnership that does not have income with the conduct of a trade or business in the U.S. and does not have an office or place of business or a fiscal paying
	<ul><li>[ ] Offeror is an agency or instrumentality of a foreign government;</li><li>[ ] Offeror is an agency or instrumentality of a Federal government;</li></ul>
(4)	TYPE OF ORGANIZATION.  [ ] Sole proprietorship; [ ] Partnership; [ ] Corporate entity (not tax-exempt); [ ] Corporate entity (tax-exempt); [ ] Government entity (Federal, State, or local); [ ] Foreign government; [ ] International organization per 26 CFR 1.6049-4; [ ] Other:
(5)	COMMON PARENT.  [ ] Offeror is not owned or controlled by a common parent.  [ ] Name and TIN of common parent:  Name
	TIN
1352). (Applies only knowledge and belief influence an officer of Congress on his or	ERTIFICATION REGARDING PAYMENTS TO INFLUENCE FEDERAL TRANSACTIONS (31 U.S.C. of the contract is expected to exceed \$100,000). By submission of its offer, the offeror certifies to the best of its of that no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member ther behalf in connection with the award of any resultant contract.  ERTIFICATION REGARDING DEBARMENT, SUSPENSION OR INELIGIBILITY FOR AWARD DER 12549).
Th	ne offeror certifies, to the best of its knowledge and belief, that
(1)	The offeror and/or any of its principals  [ ] are [ ] are not essently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal

### K1.01-10.100 CONTINUED

(2) [	] have or
1	] have not,

within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a Federal, state or local government contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and

[ ] are or [ ] are not

presently indicted for, or otherwise criminally or civilly charged by a government entity with, commission of any of these offenses.

(FAR 52.212-3/Alternates I/II **tailored**)

### K1.05 OFFEROR REPRESENTATIONS AND CERTIFICATIONS - COMMERCIAL ITEMS (NOV 1995)

- (a) **DEFINITIONS.** As used in this clause--
- (1) **Foreign person** means any person other than a United States person as defined in Section 16(2) of the Export Administration Act of 1979 (50 U.S.C. App. Sec 2415).
- (2) **United States person** is defined in Section 16(2) of the Export Administration Act of 1979 and means any United States resident or national (other than an individual resident outside the United States and employed by other than a United States person), any domestic concern (including any permanent domestic establishment of any foreign concern), and any foreign subsidiary or affiliate (including any permanent foreign establishment) of any domestic concern that is controlled in fact by such domestic concern, as determined under regulations of the President.
  - (b) CERTIFICATION. By submitting this offer, the offeror, if a foreign person, company, or entity, certifies that it-
    - (1) Does not comply with the Secondary Arab Boycott of Israel; and
- (2) Is not taking or knowingly agreeing to take any action, with respect to the Secondary Boycott of Israel by Arab countries, which 50 U.S.C. App. Sec 2407(a) prohibits a United States person from taking.

(DFARS 252.212-7000, tailored)

### K1.06 DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER (OCT 2003)

- (a) The offeror shall enter, in the block with its name and address on the cover page of its offer, the annotation "**DUNS**" or "**DUNS** + 4" followed by the DUNS number or DUNS + 4 that identifies the offeror's name and address exactly as stated in the offer. The DUNS number is a nine-digit number assigned by Dun and Bradstreet, Inc. The DUNS + 4 is the DUNS number plus a 4-character suffix that may be assigned at the discretion of the offeror to establish additional CCR records for identifying alternative Electronic Funds Transfer (EFT) accounts (see Subpart 32.11) for the same parent concern.
  - (b) If the offeror does not have a DUNS number, it should contact Dun and Bradstreet directly to obtain one.
    - (1) An offeror may obtain a DUNS number-
- (i) If located within the United States, by calling Dun and Bradstreet at 1-866-705-5711 or via the Internet at <a href="http://www.dnb.com">http://www.dnb.com</a>; or
  - (ii) If located outside the United States, by contacting the local Dun and Bradstreet office.
  - (2) The offeror should be prepared to provide the following information:
    - (i) Company legal business name.
    - (ii) Tradestyle, doing business, or other name by which your entity is commonly recognized.
    - (iii) Company physical street address, city, state, and Zip Code.
    - (iv) Company mailing address, city, state and Zip Code (if separate from physical).
    - (v) Company telephone number.
    - (vi) Date the company was started.
    - (vii) Number of employees at your location.
  - (viii) Chief executive officer/key manager.
  - (ix) Line of business (industry).
  - (x) Company Headquarters name and address (reporting relationship within your entity).

(FAR 52.204-6)

### K15.03 CERTIFICATE OF INDEPENDENT PRICE DETERMINATION (APR 1985)

- (a) The offeror certifies that--
- (1) The prices in this offer have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other offeror or competitor relating to (i) those prices, (ii) the intention to submit an offer, or (iii) the methods or factors used to calculate the prices offered;
- (2) The prices in this offer have not been and will not be knowingly disclosed by the offeror, directly or indirectly, to any other offeror or competitor before bid opening (in the case of a sealed bid solicitation) or contract award (in the case of a negotiated solicitation) unless otherwise required by law; and
- (3) No attempt has been made or will be made by the offeror to induce any other concern to submit or not to submit an offer for the purpose of restricting competition.
  - (b) Each signature on the offer is considered to be a certification by the signatory that the signatory-
- (1) Is the person in the offeror's organization responsible for determining the prices being offered in this bid or proposal, and that the signatory has not participated and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above: or
- (2) (i) Has been authorized, in writing, to act as agent for the following principals in certifying that those principals have not participated, and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above

  [insert full name of person(s) in the offeror's organization responsible for determining the prices offered in this bid or proposal, and the title of his or her position in the offeror's organization];
- (ii) As an authorized agent, does certify that the principals named in subdivision (b)(2)(i) above have not participated, and will not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) above; and
- (iii) As an agent, has not personally participated, and will not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) above.
- (c) If the offeror deletes or modifies subparagraph (a)(2) above, the offeror must furnish with its offer a signed statement setting forth in detail the circumstances of the disclosure.

(FAR 52.203-2)

### K33.01 AUTHORIZED NEGOTIATORS (DESC JAN 1998)

K33.01	AUTHORIZED NEGOTIATORS (DESC JAN 1990)
	The first page of the offer must show names, titles, and telephone and facsimile numbers (and electronic addresses if
available) of	persons authorized to negotiate with the Government on the offeror's behalf in connection with this solicitation. The offeror
or quoter rep	resents that the following persons are authorized to negotiate on its behalf with the Government in connection with this
request for pr	roposals or quotations.

(DESC 52.215-9F28)

## K85 DISCLOSURE OF OWNERSHIP OR CONTROL BY THE GOVERNMENT OF A TERRORIST COUNTRY (MAR 1998)

- (a) **DEFINITIONS.** As used in this provision--
- (1) **Government of a terrorist country** includes the state and the government of a terrorist country, as well as any political subdivision, agency, or instrumentality thereof.
- (2) **Terrorist country** means a country determined by the Secretary of State, under Section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(i)(A)), to be a country the government of which has repeatedly provided support for acts of international terrorism. As of the date of this provision, terrorist countries include Cuba, Iran, Iraq, Libya, North Korea, Sudan, and Syria.
  - (3) Significant interest, as used in this provision means--
- (i) Ownership of or beneficial interest in 5 percent or more of the firm's or subsidiary's securities. Beneficial interest includes holding 5 percent or more of any class of the firm's securities in "nominee shares," "street names," or some other method of holding securities that does not disclose the beneficial owner;
  - (ii) Holding a management position in the firm, such as director or officer;
  - (iii) Ability to control or influence the election, appointment, or tenure of directors or officers in the firm;

- (iv) Ownership of 10 percent or more of the assets of a firm such as equipment, buildings, real estate, or other tangible assets of the firm; or
  - (v) Holding 50 percent or more of the indebtedness of a firm.
- (b) **PROHIBITION ON AWARD.** In accordance with 10 U.S.C. 2327, no contract may be awarded to a firm or subsidiary of a firm if the government of a terrorist country has a significant interest in the firm or subsidiary or, in the case of a subsidiary, the firm that owns the subsidiary, unless a waiver is granted by the Secretary of Defense.

### (c) DISCLOSURE.

If the government of a terrorist country has a significant interest in the offeror or a subsidiary of the offeror, the offeror shall disclose such interest in an attachment to its offer. If the offeror is a subsidiary, it shall also disclose any significant interest each government has in any firm that owns or controls the subsidiary. The disclosure shall include--

- (1) Identification of each government holding a significant interest; and
- (2) A description of the significant interest held by each Government.

(DFARS 252.209-7001)

### K86 FOREIGN TAXES (DESC JUN 1987)

NAME OF TAX

As stated in the TAXES - FOREIGN FIXED-PRICE CONTRACTS clause, unless the contract provides otherwise, the contract price must include all applicable taxes and duties. In accordance with the TAXES - FOREIGN FIXED-PRICE CONTRACTS clause, the offeror shall list below, in paragraph (a), the specific name and amount of the foreign taxes included in the price. If, when permitted by the contract, foreign taxes are not included in the offered price but are expected to be invoiced separately, the offeror shall list the specific name and amount of these taxes in paragraph (b) below.

(a) Foreign taxes included in the contract price are as follows:	
NAME OF TAX	AMOUNT
(b) Foreign taxes invoiced separately are as follows:	

(DESC 52.229-9F10)

**AMOUNT** 

### L5.05 DISPUTES: AGREEMENT TO USE ALTERNATIVE DISPUTE RESOLUTION (JUN 2001) – DLAD

- (a) The parties agree to negotiate with each other to try to resolve any disputes that may arise. If unassisted negotiations are unsuccessful, the parties will use alternative dispute resolution (ADR) techniques to try to resolve the dispute. Litigation will only be considered as a last resort when ADR is unsuccessful or has been documented by the party rejecting ADR to be inappropriate for resolving the dispute.
- (b) Before either party determines ADR inappropriate, that party must discuss the use of ADR with the other party. The documentation rejecting ADR must be signed by an official authorized to bind the Contractor (see FAR 52.233-1), or, for the Agency, by the Contracting Officer, and approved at a level above the Contracting Officer after consultation with the ADR Specialist and with legal counsel (see DLA Directive 5145.1). Contractor personnel are also encouraged to include the ADR Specialist in their discussions with the Contracting Officer before determining ADR to be inappropriate.
- (c) If you wish to opt out of this provision, check here [ ]. Alternate wording may be negotiated with the Contracting Officer.

(DLAD 52.233-9001)

### PRICE DATA SHEET

IMPORTANT: Please provide an offer price for the basic requirement. For each product that you intend to offer on, submit one (1) price per product.

120	MOSUL
130	CAMP ANACONDA, BAGHDAD
140	KIRKUK (AVGAS)
170	TIKRIT
920	KIRKUK

TUPRAS 400 (84)	<u>PRODUCT</u>	ESTIMATED REQUIREMT	OFFER PRICE/USG
56,000 USG/ <u>per day</u> 130 \$		12,000 USG/week	120 \$
		56,000 USG/ <u>per day</u>	130 \$
11,000 USG/week 170 \$		11,000 USG/week	170 \$
17,000 USG/week 920 \$		17,000 USG/week	920 \$
PREM UNL GASOLINE 12,000 USG/week 120 \$ MTP (77)		12,000 USG/week	120 \$
68,000 USG/week 130 \$		68,000 USG/week	130 \$
21,000 USG/week 170 \$		21,000 USG/week	170 \$
10,000 USG/week 920 \$		10,000 USG/week	920 \$
AVGAS, 100LL (10) 5,000 USG/month 140 \$	AVGAS, 100LL (10)	5,000 USG/month	140 \$

# **CONTRACTOR PERFORMANCE DATA SHEET**

Please submit the requested information for government and non-government contracts or subcontracts held (not to exceed \_2\_ years since completion) for contracts that are similar to the requirements of this solicitation. Those contracts and/or subcontracts submitted may include those still in progress, however they should have a minimum of one year's performance history.

☐ Please mark this box if you have not performed under contracts that are similar in nature to the solicitation requirements.

# REFERENCES:

SUBCONTRACTING PLAN (YES OR NO)			
PERIOD OF PERFORMANCE			
PLACE OF PERFORMANCE			
METHOD OF DELIVERY			
QUANTITY			
PRODUCT SUPPLIED			
FAX NUMBER			
PHONE NUMBER			
POINT OF CONTACT			
COMPANY NAME			